



DEPARTMENT OF TRANSPORTATION
MATERIALS TRANSPORTATION BUREAU
WASHINGTON, D.C. 20590

34960

**General Information, Regulations, and
Definitions; Matter Incorporated by
Reference**

[Docket No. HM-22; Amdt. No. 171-48]

49 CFR Part 171

AGENCY: Materials Transportation
Bureau (MTB), Research and Special
Programs Administration, DOT.

ACTION: Final rule.

SUMMARY: The purpose of this amendment is to update the reference in 49 CFR 171.7(d)(1) to the ASME Boiler and Pressure Vessel Code in order to recognize the 1977 edition of the ASME Code and the addenda thereto through December 31, 1978.

EFFECTIVE DATE: July 18, 1979.

FOR FURTHER INFORMATION CONTACT:
Delmer F. Billings, Standards Division,
Office of Hazardous Materials
Regulation, Department of
Transportation, 2100 Second Street,
S.W., Washington, D.C., 20590,
telephone 202-755-4902.

SUPPLEMENTARY INFORMATION: On April 23, 1979, the MTB published a notice of proposed rulemaking in the *Federal Register* (44 FR 23880), proposing to update the ASME code reference in § 171.7(d). The basis for this proposal was a petition from the Compressed Gas Association requesting that the reference be updated to reflect current improvements in the standard. The MTB concurs with the improvements except for the provisions on ultrasonic testing of welds (paragraph UW-11(a)(7)).

Since publication of this notice, the MTB has not received any comments on this docket. Therefore, the ASME code through 1977 and the addenda published thereto through December 31, 1978, will be referenced in § 171.7(d) with the exception of paragraph UW-11(a)(7) as proposed by the notice.

In consideration of the foregoing, Title 49, Code of Federal Regulations, § 171.7(d)(1) is revised to read as follows:

§ 171.7 Matter incorporated by reference.

* * * * *

(d) * * *

(1) ASME Code means section VIII (Division I) and IX of the 1977 edition of the "American Society of Mechanical Engineers Boiler and Pressure Vessel Code," and addenda thereto through December 31, 1978, except paragraph UW-11(a)(7) of the code does not apply.

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(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53 and App. A to Part 1)

Note.—The Materials Transportation Bureau has determined that this final rule will not result in a major economic impact under the terms of Executive Order 12044 and DOT implementing procedures (44 FR 11034), nor an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321 et seq.). A regulatory evaluation is available in the docket.

Issued in Washington, D. C. On June 7, 1979.

L. D. Santman,

Director, Materials Transportation Bureau.

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